FOR MYSORE STATE

Revenue (1952) Department

Ms SERIES.

G.O. NO. 373

Dated 27 12. 1952

cl
Ks
Supdt

[Despatch Abstract.]

Alienation - Land and Revenue - [S. Kamara] -
Mangalore Range. ~~Taluq~~ and Town. Kuravan village
T.S.No. 267/6 - In favour of the Municipal C
Mangalore - For use as the site of a primary

42

REVENUE DEPARTMENT
Subject:

9/6776
16 NOV 1952
REVENUE DEPARTMENT

ALIENATION - Land and Land Revenue - (South Kanara) - Mangalore Taluk and Town - Attavar village - T-S.No.267/6 - In favour of the Municipal Council, Mangalore - for jutka stand and for the maintenance of public well - Recommended.

-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-c-

Station: Madras E. No.7919/52-2 dated 14-11-52

From: Sri A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue.

Sri S.A.Venkataramanan, I.C.S., Commissioner of Land Revenue

17 NOV 1952
REVENUE DEPARTMENT

Read: Collector of South Kanara Ref. B3.29975-51 dated 20-9-52
-do- -do- dated 18-10-52

REFERENCE:

Submitted to the Government.

2. At the instance of the Collector of South Kanara the Board recommends the re-alienation of the plot of land comprised in T.S. No.267/6 of Attavar village of Mangalore Taluk and town measuring Ac.0.27 in favour of the Municipal Council, Mangalore for use as the site of a jutka stand and for the maintenance of a public well existing in the plot.

3.The alienation will be free of charge for the occupancy right and free of ground rent but subject to the following conditions:—

(1)the land shall be used for the purpose of a jutka stand without prejudice to the well and road existing in the land and for no other purpose.

(2)The jutka-stand shall be constructed with a period of one year from the date of the grant.

(3)No other building shall be constructed on the land without the previous permission of the Collector of the District.

(4)The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5)The well and the jutka-stand shall be maintained efficiently to the satisfaction of the Collector.

(6)The grantee shall execute the repairs which in the opinion of the Collector of the district are considered necessary whenever required by him to do so.

(7)No fees shall be collected for the use of the land

(Contd-2-)

(8) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grar If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(9) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumptio or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shal ln no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less, and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(10) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(11) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(12) The Government reserve to themselves the right to all sandal-wood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from th land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or remov without the permission of the Collector of the district.

(13) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection c the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

(14) The alienee shall take the steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(15) In the event of the infringement ..., or failure to observ any of the conditions (12) to (14) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty t resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

For Secretary

To

The Secretary to Government, Revenue Department, Madras with alienation statement and sketch.

krl411o

Vss.

Copy of Ref. B3.29975/51 dated 20-9-52 from the Collector of South Kanara

Sub: ALIENATION - Land and Land Revenue (South Kanara) Mangalore Taluk and Town - Attavar village - T.S. No.267/6 - Resumption and realienation for the purpose of a cart stand in favour of the Municipal Council Mangalore.

T.S. No.267/6 of Attavar village, Mangalore Taluk and Town South Kanara District measuring 0.27 cents in extent was alienated to the Mangalore Municipal Council for the purpose of the proper maintenance of the well existing in the plot for public use and to widen the adjoining road, in this office proceedings R.Dis.4147/34 dated 30-7-35.

2. The Municipality now proposes to shift the existing jutka stand in T.S. No.189 of casba bazaar village in Mangalore Town (which was once acquired by the Municipality for that purpose) to T.S. No.267/6 of Attavar village without prejudice to the interests of the well and the road adjoining the plot. After shifting the jutka stand the Municipality proposes to erect shop sites in T.S. No.139 of Casba Bazaar village. In this office proceedings R.Dis.13967/51 dated 22-10-51 the Municipality was granted permission to erect shop sites in T.S. No.189 of Casba Bazar after shifting the Jutka stand to T.S. No.267/6 of Attavar village. Accordingly the Municipality has now applied for the formal resumption and realienation of T.S.No.267/6 of Attavar village for the purpose of a cart stand without prejudice to the proper maintenance of the well existing in the plot.

3. The land has been now valued at Rs.40,000/- per acre (data enclosed). The market value of 0.27 cents of land in T.S. No.267/6 of Attavar village proposed to be realienated to the Municipality comes to Rs.10,800/-.

4. The Municipality has resolved to use the site as a free shelter for jutkas and horses besides being used for the proper maintenance of the well. Therefore the Municipality will not be deriving any income from the site. Thus as the Municipality will be using the site for one unremunerative public purpose the collection of site value may be waived. As the plot now stands alienated free of assessment the question of realienation of Land Revenue does not arise.

5. The plot does not contain any improvements except the existing ones already in the possession of the Municipality. Hence the question of collection of value of improvements does not arise. A notice inviting objections for the proposed resumption and realienation of the plot was published in the village and no objections were received. A set of conditions for the realienation of the plot was notified to the Municipality which has agreed to abide by those conditions.

6. As the plot stands alienated to the Municipality for a specific purpose and the purposes for which realienation is proposed include the purpose for which the plot was originally alienated the provisions of G.O.1065 Revs dated 1-5-51 do not seem to apply in this case, even though the plot is situated within the Municipal limits. Hence I have not consulted the several Department Heads as required under the G.O. referred to.

7. I recommend that T.S.No.267/6 of Attavar village Mangalore Town measuring 0.27 cents in extent may formally be resumed and realienated in favour of the Municipal council Mangalore for the purposes of a jutka stand and for the proper maintenance of the well existing in the plot for the proper maintenance of the well existing in the plot for public use without prejudice to the adjoining road, free of charge for the occupancy right and free of assessment.

Resumed by Govt: Amps. infra

8. Sketches and adangal extracts in duplicate application for the alienation of land, copy of the conditions notified etc. are enclosed.

/True copy/

Copy of Application for alienation of land, the proprietory right of which belongs to the state

District: South Kanara

1. Description and area of the plot: T.S.No.267/6 of Attavar village, measuring 0.27 cents.

P.T.O

5

-2-

2.Market value: Rs.10300/-
3.Name of the alinee and purpose of alienation: Mangalore Municipality. For a cart stand and for the maintenance of the public well.
4.Collector's remarks: Recommended.

/True copy/

Date for valuation of T.S. No.267/6 of Attavar village

Estimated annual letting value of similar lands in the Vicinity-per acre: Rs.1600-0-0
Deduct assessment: Rs. 1-3-0

1593-8-0
Capitalised @ 4% Rs.39962-8-0
or rounded to Rs.40000/- per acre.

Value of T.S. No.267/6- 0.27 cents) Rs.10800/-
@ Rs.40000 per acre)

Rupees ten thousand eight hundred only.

/True copy/

Copy of proceedings Ref. B3.29975/51 dated 18-10-52

Sub: ALIENATION - Land and Revenue (South Kanra) Mangalore Taluk and Town - Attavar village - T.S. No.267/6 - Resumption - sanctioned.

Read: 1. Ref. C4.9937/51 dated 1-11-51 from the Commissioner of Mangalore Municipality.
2. Ref. C4.9937/51 dated 8-9-52 from the Commissioner of Mangalore Municipality.

The Collector orders the resumption of T.S. No.267/6 of Attavar village of Mangalore Town measuring 0.27 acres in extent (with improvements thereon) which was alienated in favour of the Mangalore Municipal Council in this office proceedings R.Dis.4147/34 dated 30-7-35 for the purpose of the proper maintenance of the well existing in the plot for public use from the control of the Mangalore Municipal Council.

2. The site will be recommended for re-alienation for the purpose of a cart stand without deterirent to the use of the adjoining road.

/True copy/

Copy of letter No.Ref. B3.29775/51 dated 13-10-52 from the Collector, South Kanara

---

Sub: ALIENATION - Land and Revenue - (South Kanra) Fr. Mangalore Taluk and town - Attavara village - T.s. No.267/6 - Resumption ordered - Fact - reported.
Ref: Board's Ref.E. No.7919/52-1 dated 7-10-52

As ordered by the Board of Revenue in its reference cited above, I have thi day ordered the resumption of the land in T.S. No.267/6 of Attavar village Mangalore Taluk and Town from the control of the Mangalore Municipal Council. A copy of my proceedings in this regard is enclosed.

/True copy/

For Secretary

3 right b

Application for alienation of land, the proprietory of which belongs to the state,

--

District: South Kanara

1.Description and area of the plot. T.S.No.267/6 of Attavar village, measuring 0.27 cents.

2.Market value: Rs.10800/-

3.~~Nature~~ Name of the alinee and purpose of alienation.) Mangalore Municipality. For a cart stand and for the maintenance of the public well.

4.Collector's remarks: Recommended.

S.Kanara Collector's office)
Mangalore dated 20.9.52.) For Collector. 24/9

Date for valuation of T.S.No. 267/6 of Attavar village.

--

Estimated annual letting value of similar lands in the vicinity - per acre.	Rs.1600-0-0
Deduct assessment.	Rs. 1-8-0
	1598-8-0
Capitalised @ 4%	Rs.39962-8-0
	or rounded to Rs.40000/- per acre

Value of T.S.No.267/6 - 0.27 cents @ Rs.40000 per acre.) Rs.10800/-

Rupees ten thousand eight hundred only.

S.Kanara Collector's office)
Mangalore dated 20.9.52.) For Collector. 24/9
24/9 23.9.52.

Dist. : South Kanara

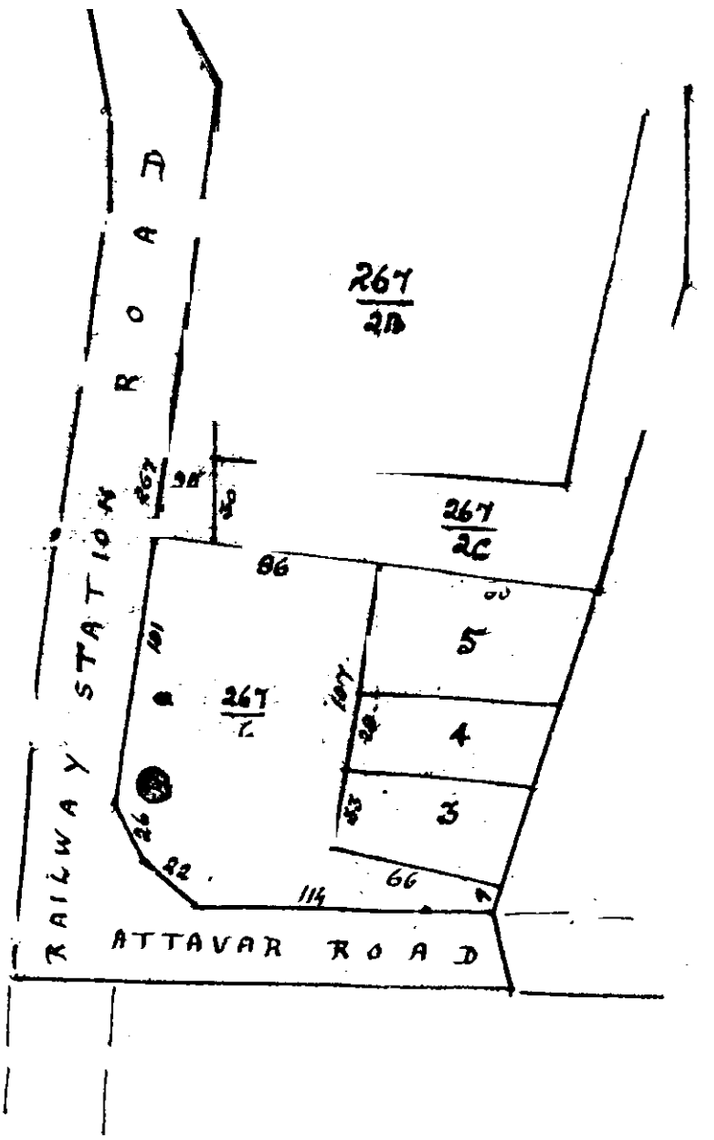
Taluk : Mangalore.

Scale : One inch = 66 feet

T.S.No. 267/6

R.S.No. 392/1

Village { No. 86 = Name. Attavar



Index

T.S.No

267/6 : Plot Proposed for Cart Stand (Mangalore Municipality). Area 0.24 Cents.

1A :— Mangalore Municipality

1B :— Hospital

2C :— Asst. Waste.

5, 4, 5 } :— Pattu lands.

Rev. Dept

C. No. 91477 Ry/52

~~Alienation - to the Municipal Council~~

Read:

From the Board of Rev. Ref. R. No. 7919/52.2 & 14.11.52

G.O. Ms. No. 3373 & 23-12-52

The Govt. sanction the alienation of the plots of l
comprised in T.S.No. 267/6 of Attavar Village of Mangalo
taluk and town measuring 27 Cents in favour of the
Municipal Council Mangalore for use as the site of a Jutk
stand and for maintenance of a public well existing o
the plot.

2. The alienation will be free of charge for the occup
right and free of ground rent but subject to the follo
conditions:-

(1) The land shall be used for the purpose of a Jutka
stand without prejudice to the well and road existin
in the land and for no other purpose.

(2) The Jutka stand shall be constructed within a p
of one year from the date of the grant.

(3) No other building shall be constructed on the land
without the previous permission of the Collector of the Dist

(4) The market value of the land shall be ~~Constructed~~ collected
at any time it is found that the grantee derives a
substantial income from the land. The Collector shall dem
whether a net income is derived from the land or no
and his decision shall be final.

(5) The well and the Jutka stand ~~shall~~ be maintained efficient
to the satisfaction of the Collector.

(6) The grantee shall execute the repairs which i
the opinion of the Collector of the district are conside
necessary whenever required by him to do so.

(7) No fee should be collected for use of the land.

(PTO)

(8) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee t remove them and if the grantee refuses to remove them when s' directed the Government or any officer empowered by the.. in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(9) The Government may resume the land, wholly or in part with any buildings thereon, if in the opinion of the Gover.- ment the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with the initial cost of the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government toward the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Gover.- ment in respect of buildings constructed in contravention of condition (3).

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected [illegible] for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant of the value of the land at the time of relinquishment whichever may be less.

(11) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue shall be levied from the date of ~~the~~ infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(12) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(13) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the

(14)

[illegible] shall take steps to see that the marks [illegible] by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(15) In the event of infringement or failure to observe any of the conditions (1) to (14) the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

~~(BY ORDER OF THE GOVERNOR)~~

~~EX-OFFICIO SECRETARY TO GOVERNMENT~~

To the Board of Revenue (Land Revenue)

~~Forwarded / By order.~~

Not [illegible] the proposal in the preamble, [illegible] the plot of land comprised in T.S. No. 20/46 of Hadavar village, Manga[illegible] council Mangalore for use as the site of a Jatra mana and [illegible] the maintenance of the public well in the plot. The S. Kanara Collector's letter on p. 4/C explains the proposal. Subject to orders, the draft order above is submitted with reference to the Bd's reference [illegible] alteration in Condition (5) as indicated in pencil on p/C has been made) L.A./Home, Health and Finance may see before circulation.

18/11/52

26.11.52

26/11/52

26.11.52

L.A / Home / Health / Fin

Rev. U.O. No. 9147 U/52.1

LOCAL ADMINISTRATION DEPT. 50078 25 NOV 1952

above may be perused and the file passed on to Home Dept.

26/11/52 — 26.11.52 — 26/11/52 — Home.

Home Department.

W.D. 58078-1A
27.11.52

May be perused and passed on to Health Dept.

2/12/52 — 3/12/52 — 3-12-52 — 3/12/52 — Health

Health Deptt.
[illegible]

ASSISTANT — 28 NOV 1952 — Thro. P&E IV — Rec'd 2/12/52 — 2/12/52 — 2/12/52

Health Deptt.

The Draft order of the Rev. Deptt. on pp 1-4 ante may be perused and the file passed on to Finance W.D.

Lancers 22969
1-12-52 — 2/12/52 — 4-12-52 — 5.12.52

Draft order

S/S
5.12.52

Rev.

DEPUTY SECRETARY
4 DEC 1952
HEALTH DEPARTMENT

Rom. (Accts.)

W.D. No 59095-4R2-52
5/12/52

The draft order on pp 1-4 ante may be perused.

11-12-52 — 11.12.52 — 14.12.52 — Rev.

ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT
91329
6 DEC 1952
FINANCE DEPARTMENT

22 DEC 1952
GOVT. DEPARTMENT

The draft may issue.
17.12.52

Fin. W.D. 91329/Accts/52
16.12.52

ADDITIONAL ASST. SECRETARY TO GOVT.
17 DEC 1952
100/52
DEPARTMENT

ADDITIONAL DEPUTY SECRETARY
DEPARTMENT

18.12.52

21.12.52 (L.R.)